

January 30, 2015

The Delaware Office of State Planning Coordination  
540 S. DuPont Hwy  
Thomas Collins Building, Third Floor  
Dover, DE 19901

ATTN: Constance C. Holland, AICP  
Director, Office of State Planning Coordination

RE: PLUS review 2014-09-05, Caesar Rodney School District New Elementary School  
Response to PLUS Review 2014-10-22

Dear Ms. Holland:

On behalf of the applicant, Caesar Rodney School District, we are pleased to submit a response to the PLUS comments received on October 22, 2014 for the proposed elementary school in Kent County.

### **Strategies for State Policies and Spending**

- This project is located in Investment Levels 1 and 2 according to the *Strategies for State Policies and Spending*. This site is also located in the Kent County Growth Zone. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near term future. State investments will support growth in these areas. Our office has no objections to the proposed development of this project in accordance with the County codes and ordinances.

***The addition of a school on this parcel will definitely benefit the surrounding development and communities by providing an easily accessible neighborhood school.***

### **Code Requirements/Agency Permitting Requirements**

Office of State Planning Coordination-Contact David Edgell 739-3090

- The proposed school site must be reviewed and approved by the Director of the Office of State Planning Coordination, the Director of the Office of Management and Budget and the Secretary of Education in accordance with Title 29, Section 7525 of the Delaware Code. This section specifies that all lands proposed for school construction must go through the approval process, even lands that are currently owned by the District such as this site. The first step for initiating the review process is for the District to submit a letter to DOE requesting school site approval. We note that DOE has received the letter, and we have begun the review process. The PLUS review is another important step, and now that it is complete we will be coordinating with DOE and OMB to complete our review.

***Should any additional questions arise during the review process, the District is poised to assist in any way possible.***

State Historic Preservation Office – Contact Terrence Burns 736-7404

- There are no known archaeological sites or National Register-listed property on this parcel. However, if there will be any development or construction project on this parcel, the developer should still be aware of the Unmarked Human Burials and Human Skeletal Remains Law, which is in Title 7, Chapter 54, of the Delaware Code.

Abandoned or unmarked family cemeteries are very common in the State of Delaware. They are usually in rural or open space areas, and sometimes near or within the boundary of an historic farm site. Even a marked cemetery can frequently have unmarked graves or burials outside of the known boundary line or limit. Disturbing unmarked graves or burials triggers the Delaware's Unmarked Human Burials and Human Skeletal Remains Law (Delaware Code Title 7, Chapter 54), and such remains or discoveries can result in substantial delays while the procedures required under this law are carried out. If there is a discovery of any unmarked graves, burials or a cemetery, it is very costly to have them archaeologically excavated and the burials moved. The Division of Historical & Cultural Affairs recommends that owners and/or developers have a qualified archaeological consultant investigate their project area, to the full extent, to see if there is any unmarked cemetery, graves, or burial sites. In the event of such a discovery, the Division of Historical & Cultural Affairs also recommends that the plans be re-drawn to leave the full extent of the cemeteries or any burials on its own parcel or in the open space area of the development, with the responsibility for its maintenance lying with the landowner association or development. If you would like to know more information pertaining to unmarked human remains or cemeteries, please check the following websites for additional information:  
[www.history.delaware.gov/preservation/umhr.shtml](http://www.history.delaware.gov/preservation/umhr.shtml) and  
[www.history.delaware.gov/preservation/cemeteries.shtml](http://www.history.delaware.gov/preservation/cemeteries.shtml).

Prior to any demolition or ground-disturbing activities, the developer may want to hire an archaeological consultant to examine the parcel for any potential archaeological site (historic or pre-historic), historic cemetery or unmarked human remains.

***The District's consultants are aware of Delaware's Unmarked Human Burials and Human Skeletal Remains Law and will comply with requirements should they pertain to this site.***

- If there is any federal involvement with the project, in the form of licenses, permits, or funds, the federal agency, often through its client, is responsible for complying with Section 106 of the National Historic Preservation Act (36 CFR 800) and must consider their project's effects on any known or potential cultural or historic resources. Owners and developers who may plan to apply for an Army Corps of Engineers permit or for federal funding, such as HUD or USDA grants, should be aware of the National Historic Preservation Act of 1966 (as amended). Regulations promulgated for Section 106 of this Act stipulate that no ground-disturbing or demolition activities should take place before the Corps or other involved federal agency determines the area of potential effect of the project undertaking. These stipulations are in place to allow for comment from the public, the Delaware State Historic Preservation Office, and the Advisory Council for Historic Preservation about the project's effects on historic properties. Furthermore, any preconstruction activities without adherence to these stipulations may jeopardize the issuance of any permit or funds. If you need further information or additional details pertaining to the Section 106 process and the Advisory Council's role, please review the Advisory Council's website at [www.achp.gov](http://www.achp.gov).

***Predesign activities for this project will involve making a detailed delineation and survey of state and federally regulated wetlands and waters boundaries. The siting of the buildings, driveways, playfields, etc. will be designed to avoid impacts to both state and federally regulated wetlands. In the event that regulated activities are proposed requiring a permit from the Corps of Engineers or other federal agency, the District will consult with those agencies to determine the area of potential effects. As determined by the Section 106 process, the District will then retain a qualified archeologist to perform any required site evaluations or studies offsite for possible impact to historic or cultural resources.***

Department of Transportation – Contact Bill Brockenbrough 760-2109

- Using standard trip generation rates per student, DelDOT estimates that the proposed school would generate about 774 vehicle trip ends per day, with 270 of those trips occurring in the morning peak hour. Therefore, in accordance with the traffic volume warrants found in Section 2.3.1 of our Standards and Regulations for Subdivision Streets and State Highway Access, the proposed school warrants a Traffic Impact Study (TIS). Payment of a fee in lieu of the TIS is not an option.

DelDOT recommends that the School District have their engineer contact Mr. Troy Brestel of this office to obtain a scope of work for the TIS at their earliest convenience. While the TIS will identify specific off-site road improvements that the School District will need to either

build or help to fund, just having the scope of the study should enable the District to estimate for budgeting purposes how much to allocate for such improvements. Mr. Brestel may be reached at (302) 760-2167.

***The District will contact Mr. Troy Brestel.***

- Because the proposed development would generate more than 200 vehicle trips per day, a Pre-Submittal Meeting is required before plans are submitted for review. Guidance on what will be covered at this meeting and how to prepare for it is located at [http://www.deldot.gov/information/business/subdivisions/Pre-Submittal\\_Meeting\\_Requirements.doc](http://www.deldot.gov/information/business/subdivisions/Pre-Submittal_Meeting_Requirements.doc). The form needed to request this meeting is available at [http://www.deldot.gov/information/business/subdivisions/Meeting\\_Request\\_Form.doc](http://www.deldot.gov/information/business/subdivisions/Meeting_Request_Form.doc).
- The site entrances must be designed in accordance with DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access. A copy of the Standards and Regulations is available at [http://www.deldot.gov/information/pubs\\_forms/manuals/subdivisions/pdf/Subdivision\\_Manual\\_Revision\\_1\\_proposed\\_060110.pdf](http://www.deldot.gov/information/pubs_forms/manuals/subdivisions/pdf/Subdivision_Manual_Revision_1_proposed_060110.pdf).
- Please be advised that DelDOT has advertised for comment a comprehensive revision of the Standards and Regulations. The comment period ran through June 30 and DelDOT could adopt this revision as soon as November 2014. Implementation guidance has not been developed but DelDOT recommends that the developer's engineer become familiar with the proposed changes and assess whether any of them could be relevant to this project. Information on the proposed revision is available in the Register of Regulations and at [http://www.deldot.gov/information/pubs\\_forms/revisions\\_to\\_ASR/index.shtml](http://www.deldot.gov/information/pubs_forms/revisions_to_ASR/index.shtml).
- In accordance with Section 2.15.1 and 2.15.2 (formerly 3.10.1 and 3.10.2) of the Standards and Regulations for Subdivision Streets and State Highway Access, DelDOT will require the School District to make or contribute to certain off-site improvements. While DelDOT would expect the TIS process to identify further improvements, two are apparent by inspection:
  - DelDOT will require the District to enter a signal agreement, to pay part of the cost of installing a signal at South State Street and Banning Road; and
  - DelDOT will require the District to improve Briarbush Road to provide 11-foot lanes and 5-foot shoulders for the length of the site's frontage.
- In accordance with the minimum standards provided in Section 3.6.5 and Figure 3-3 of the Standards and Regulations for Subdivision Streets and State Highway Access, DelDOT will require dedication of right-of-way along the site's frontage on Briarbush Road.
- In accordance with Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage on Briarbush Road. The location of the

easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **“A 15-foot wide permanent easement is hereby established to the State of Delaware, as per this plat.”**

*The District thanks the Department for this information and will fully comply with the Department’s requirements.*

Department of Natural Resources and Environmental Control – Contact Kevin Coyle 739-9071

#### **TMDLs**

- The project is located in the greater Delaware River and Bay drainage area, specifically within the St. Jones River watershed. In this watershed, the State of Delaware has developed specific Total Maximum Daily Load (TMDL) pollutant reduction targets for nitrogen, phosphorus, and bacteria (under the auspices of Section 303(d) of the Clean Water Act). A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited waterbody” can assimilate and still meet State water quality standards (e.g., dissolved oxygen, nutrients, and bacteria; State of Delaware Surface Water Quality Standards, as amended July 11, 2004) to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. The TMDL for the St. Jones River watershed calls for a 40 percent reduction in nitrogen and phosphorus from baseline conditions. The TMDL also calls for a 90 percent reduction in bacteria from baseline conditions.
- A nutrient management plan is required under the *Delaware Nutrient Management Law (3 Del.C., Chapter 22)* for all persons or entities who apply nutrients to lands or areas of open space in excess of 10 acres; the area of open space may exceed this 10 acre threshold. Please contact the Delaware Nutrient Management Program at 739-4811 for further information concerning compliance requirement or, view the following web link for additional information: <http://dda.delaware.gov/nutrients/index.shtml>

*The District thanks the Department for this information. A nutrient management plan will be prepared for this project should it meet the threshold for requiring such plan during the construction document preparation. The site will comply with the Delaware River & Bay drainage area and St. Jones River watershed Pollution Control Strategy Regulation.*

#### **Sediment and Stormwater Program**

- A Sediment and Stormwater Management Plan must be approved for this project prior to beginning construction. The DNREC Sediment and Stormwater Program will be the reviewing agency for this project.

*Such plan will be prepared by the District and submitted to the Department for review and approval.*



- A Notice of Intent for Stormwater Discharges Associated with Construction Activity must be submitted prior to construction beginning on the site. The NOI fee of \$195 must be submitted as well.

***The District will comply.***

- The owner representative and designer should complete the Stormwater Assessment Study and submit it to DNREC prior to scheduling a project application meeting as soon as possible prior to investing much time and effort into project layout and design.

***A Stormwater Assessment Study will be prepared and submitted to the Department prior to significant site layout and design.***

- Runoff reduction goals must be met for the Resource Protection event (RPv). The entire site area is mapped as Low-Moderate for runoff reduction feasibility, meaning that significant engineering effort may be necessary to achieve RPv compliance.

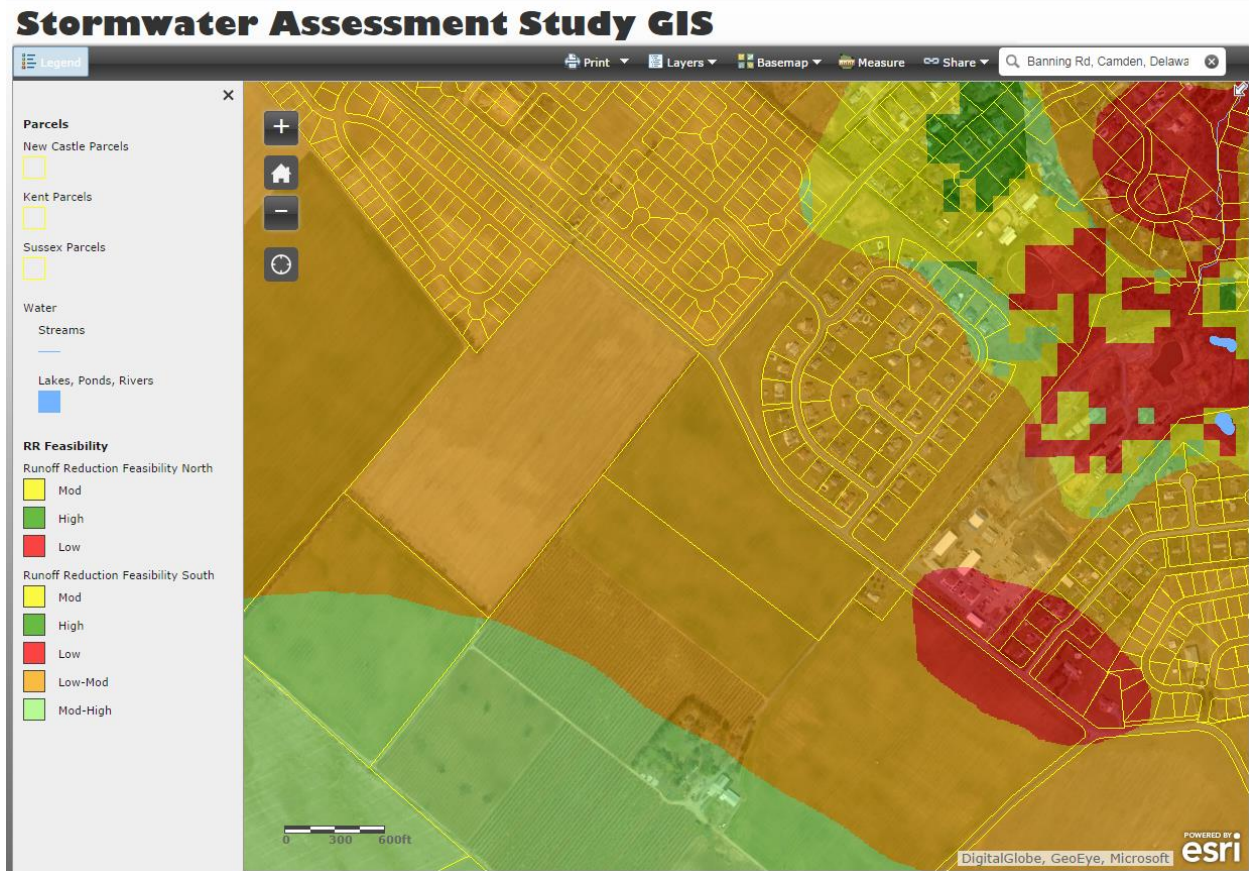
***The District will comply.***

- There are no known drainage features for the site to discharge the conveyance and flooding events (10-year and 100-year storms) which could also require significant engineering effort for compliance.

***Thank you for this information.***

- If on-site soil testing indicates that infiltration of stormwater is an option, that may be the best method of compliance with the stormwater requirements; however, the site designer must be mindful of the minimum 150' setback requirements from water supply wells since a well is proposed to supply water needs for the site.

***If on-site soil testing indicates that infiltration of stormwater is an option, this option will be explored in compliance with set-back requirements.***



### **Hazardous Waste Sites**

- If it is determined by the Department that there was a release of a hazardous substance on the property in question and the Department requires remediation pursuant to the Hazardous Substance Cleanup Act, the provisions of 7 Del.C., Chapter 91, Delaware Hazardous Substance Cleanup Act and the Delaware Regulations Governing Hazardous Substance Cleanup shall be followed.

**The District will perform mediation if a release of a hazardous material is determined by the Department.**

### **Tank Management Section:**

- If a release of a Regulated Substance occurs at the proposed project site, compliance of 7 Del.C., Chapter 60, 7 Del.C., Chapter 74 and DE Admin. Code 1351, State of Delaware *Regulations Governing Underground Storage Tank Systems* (the UST Regulations) is required.
- The following confirmed leaking underground storage tank (LUST) projects are located within a quarter mile from the proposed project area:

- DelDOT Magnolia Yard, Facility: 1-000304, Project: K9907147 (Inactive)
- Per the UST Regulations: Part E, § 1. Reporting Requirements:
  - Any indication of a Release of a Regulated Substance that is discovered by any Person, including but not limited to environmental consultants, contractors, utility companies, financial institutions, real estate transfer companies, UST Owners or Operators, or Responsible Parties shall be reported within 24 hours to:
    - The Department's 24-hour Release Hot Line by calling 800-662-8802; and
    - The DNREC Tank Management Section by calling 302-395-2500.

***Thank you for providing us the known LUST and AST. The project will comply with all requirements regarding reporting and releases of Regulated Substances.***

Delaware State Fire Marshall's Office – Contact R.T. Leicht 739-4394

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

#### **Fire Protection Water Requirements**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- Where a water distribution system is proposed for sites of educational occupancies, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

***The District will comply.***

#### **Fire Protection Features**

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- Show Fire Lanes and Sign Detail as shown in DSFPR

***The District will comply.***

#### **Accessibility**

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire



apparatus. This includes requiring the access road being constructed so fire department apparatus will be unimpeded.

- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. Specific attention is directed at the “key hole” shaped paved area to the front of the building. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

***Thank you for providing these requirements. The District will comply.***

#### **Gas Piping and System Information**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

***This information will be provided by the District on the plans submitted to the Fire Marshal.***

#### **Required Notes**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

***The District will comply by providing these notes on the documentation.***

#### **Recommendations/Additional Information**

This section includes a list of site specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise

and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Bill Brockenbrough 760-2109

- The plan presented shows two full movement entrances on Briarbush Road, one opposite Banning Road and one about 200 feet to the south. This matter can be discussed further at the Pre-Submittal Meeting, but preliminarily the entrances are too close together. The entrance opposite Banning Road should be retained and the second entrance should either be eliminated or shifted farther south. DelDOT's preference would be to have the second entrance opposite Fawn Path Drive, but it should be possible to identify a mutually acceptable location between there and Banning Road.
- As shown on the Investment Level map associated with the Strategies for State Policies and Spending, the subject development is located in a Level 1 and 2 area. DelDOT's Shared-Use Path and/or Sidewalk Process policy (available at [http://www.deldot.gov/information/business/subdivisions/SUP\\_Sidewalk\\_Process.pdf](http://www.deldot.gov/information/business/subdivisions/SUP_Sidewalk_Process.pdf)) provides that in Level 1 and 2 areas a path or sidewalk must be installed along the State-maintained road frontage. If a physical impossibility exists, and none is apparent here, then a fee in lieu of construction shall be paid.
- DelDOT recommends that a pedestrian easement be provided along the northwest side of the school site such that, subject to design approval from the School District, the owner of the adjacent parcel can establish a ten-foot wide pedestrian path from their property to the school driveway somewhere within 200 feet of Briarbush Road. While DelDOT has not seen a proposal to develop the adjoining parcel, from tax records it appears to be owned by a developer. Providing an easement now would allow the developer of that land to build an off-street path to the school, and thus permit children to walk to school directly from that development without going out onto Briarbush Road. DelDOT anticipates requiring that developer to provide a sidewalk or path along their road frontage as well, but an off-street path would necessarily be safer, but especially for younger children.
- Be advised that the standard general notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision date of May 21, 2014 for the Record/Site Plan and Construction Plan general notes and the Temporary Traffic Control general notes. The notes can be found at [http://www.deldot.gov/information/business/subdivisions/DelDOT\\_Development\\_Coordination\\_Plan\\_Sheet\\_Notes.doc](http://www.deldot.gov/information/business/subdivisions/DelDOT_Development_Coordination_Plan_Sheet_Notes.doc)

***The District will schedule a pre-submittal meeting with the Department to discuss improvements and requirements mentioned above and also other anticipated comments from DelDOT to incorporate into the design.***

Department of Natural Resources and Environmental Control – Contact Kevin Coyle 739-9071

### Soils Assessment

- Based on soils survey mapping update, the soil mapping unit(s) mapped is Downer. This soil mapping unit is well drained and, in general, has few limitations for development.



Figure 1: NRCS soil survey mapping update in the vicinity of the proposed project

### Additional information on TMDLs and water quality

- DNREC strongly encourages the applicant to reduce nutrient and bacterial pollutants through voluntary implementation of the following recommended BMPs:
  - Wherever possible, plant additional native woody tree/shrub/herbaceous plants
  - Calculate post-construction surface imperviousness with all forms of created surface imperviousness (e.g., rooftops, driveways, parking lots, sidewalks, open-water storm water management structures, roads, and wastewater disposal system) included in the calculation.

- Use of pervious paving materials (instead of conventional asphalt and concrete) for all new road and parking lot construction to help mitigate the negative impacts from pollutant runoff.
- Use of green-technology storm water management structures (in lieu of open-water management structures) and raingardens as BMPs to reduce nutrient pollutant impacts. Please contact Lara Allison for further information on raingardens at 739-9922.
- Assess nutrient and bacterial pollutant loading at the preliminary project design phase. To this end, the Watershed Assessment Section has developed a methodology known as the “Nutrient Load Assessment protocol.” The protocol is a tool used to assess changes in nutrient loading (e.g., nitrogen and phosphorus) that result from the conversion of individual or combined land parcels to a different land use(s), while providing applicants with quantitative information about their project’s impact(s) on baseline water quality. We strongly encourage the applicant/developer use this protocol to help them design and implement the most effective BMPs. Please contact Jen Walls or John Martin at 302-739-9939 for more information on the protocol.

***The District and their consultants will review and consider these recommendations and, where feasible, implement same.***

**Additional information on tank management**

- When contamination is encountered, PVC pipe materials should be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.
- If any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMS. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMS.

***If contamination is encountered, PVC piping will be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas. Also, any tank installed per above guidelines will be registered and approved by the TMS.***

**Additional information on hazardous waste sites**

- DNREC strongly recommends that the land owner perform environmental due diligence of the property by performing a Phase I Environmental Site Assessment (including a title search to identify environmental covenants) in accordance to Section 9105(c) (2) of the Delaware Hazardous Substance Cleanup Act (HSCA). While this is not a requirement under HSCA, it is good business practice and failure to do so will prevent a person from being able to qualify for a potential affirmative defense under Section 9105(c) (2) of HSCA.

***A Phase I Environmental Site Assessment will be performed.***

- Additional remediation may be required if the project property or site is re-zoned by the county.

- Should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). Site Investigation Restoration Site Branch should also be contacted as soon as possible at 302-395-2600 for further instructions.

***Mediation will be performed if a release of a hazardous material is determined by the Department.***

**Additional information on air quality**

- New schools may emit, or cause to be emitted, additional air contaminants into Delaware's air, which will negatively impact public health, safety and welfare. These negative impacts are attributable to:
  - Emissions that form ozone and fine particulate matter; two pollutants relative to which Delaware currently violates federal health-based air quality standards,
  - The emission of greenhouse gases which are associated with climate change, and
  - The emission of air toxics.
- Air emissions generated from new schools include emissions from the following activities:
  - Area sources such as painting, maintenance equipment and the use of consumer products like roof coatings and roof primers.
  - The generation of electricity, and
  - All transportation activity.
- Based on the information provided, the three air emissions components (i.e., area, electric power generation, and mobile sources) for the project could not be quantified. Division of Air Quality (DAQ) was able, however, to quantify the mobile emissions based on the proposed daily trip data presented in the application and data taken from the ITE Trip Generation Manual, 8th Edition. Table 1 represents the actual impact the New Caesar Rodney Elementary School project may have on air quality.

<b>Table 1: Projected Air Quality Emissions for New Caesar Rodney Elementary School</b>					
Emissions Attributable to New Caesar Rodney Elementary School (Tons per Year)	Volatile Organic Compounds (VOC)	Nitrogen Oxides (NOx)	Sulfur Dioxide (SO <sub>2</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )	Carbon Dioxide (CO <sub>2</sub> )
Mobile	3.4	4.5	*	*	*

(\*) Indicates data is not available.

- Note that emissions associated with the actual construction of the school, including automobile and truck traffic from working in, or delivering products to the site, as well as site preparation, earth moving activities, road paving and other miscellaneous air emissions, are not reflected in the table above.



- DAQ encourages sustainable growth practices that:
  - Control sprawl;
  - Preserve rural and forested areas;
  - Identify conflicting land use priorities;
  - Encourage growth on previously developed sites and denser communities while at the same time protect our diminishing land base;
  - Coordinate transportation, housing, environment, and climate protection plans with land use plans; and
  - Demonstrate that communities can achieve the qualities of privacy, community, and contact with nature without degrading the natural environment or generating unacceptable environmental costs in terms of congestion, use of natural resources, or pollution.
- Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:
  - Constructing with only energy efficient products. Energy Star qualified products are up to 30% more energy efficient. Savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and upgraded water-heating equipment. Every percentage of energy efficiency translates into a percent reduction in pollution. The Energy Star Program is excellent way to save on energy costs and reduce air pollution.
  - Offering geothermal and/or photo voltaic energy options. These systems can significantly reduce emissions from electrical generation and from the use of oil or gas heating equipment.
  - Constructing with high albedo, high solar reflectance materials. This includes roofing and hardscape. These materials help to reduce heat island impacts and, by extension, help to minimize the potential for localized ground-level ozone formation. These materials also help reduce demands on air conditioning systems and save on energy costs.
  - Providing shade for parking areas. Approaches may include architectural devices, vegetation, or solar panels. Providing shade for parking areas helps to reduce heat island impacts, and, by extension, helps to minimize the potential for localized ground-level ozone formation. Such measures can also have the additional benefit of channeling or infiltrating stormwater.
  - Encouraging the use of safe multimodal transportation, particularly to and from nearby residential areas. This measure can significantly reduce mobile source emissions. For every vehicle trip that is replaced by the use of a sidewalk or a bike path, 7 pounds of VOC and 11.5 pounds of NOx are reduced each year.
  - Using retrofitted diesel engines during construction. This includes equipment that is on-site as well as equipment used to transport materials to and from site.
  - Using pre-painted/pre-coated flooring, cabinets, fencing, etc. These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
  - Planting trees in vegetative buffer areas, particularly those between the site and adjacent residential areas. Trees reduce energy emissions by cooling during the summer and by

providing wind breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

This is a partial list, and there are additional things that can be done to reduce the impact of the development. The applicant should submit a plan to the DNREC DAQ which address the above listed measures, and that details all of the specific emission mitigation measures that will be incorporated into the New Caesar Rodney Elementary School project.

***Thank you for this information. The District will comply with all regulatory requirements.***

Delaware State Fire Marshall's Office – Contact R.T. Leicht 739-4394

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from the website: [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov), technical services link, plan review, applications or brochures.

***The District will schedule a preliminary meeting with the Fire Marshal's Office prior to any formal submittal.***

Division of Public Health – Contact: Laura Saperstein 744-1011

The Delaware Division of Public Health (DPH) is pleased to be able to participate in the PLUS application process. In keeping with its mission to protect and promote the health of all people in Delaware, DPH looks for opportunities to encourage and enhance our population's health behaviors that will result in healthy people and healthy communities.

Community design can impact the health of a population. Studies show that persons in lower-income communities, the elderly, and children often suffer more from consequences of inadequate land-use and transportation. Additionally, physical activity has a direct correlation to many chronic diseases, including hypertension, diabetes and obesity. In 2012, 39.1% of Delawareans reported a BMI of "overweight," and 26.9% reported a BMI as "obese." To that end, DPH looks to make recommendations for land-use that can empower Delawareans to make good health behaviors a part of their daily lives.

- DPH is pleased to see the many different areas in which the new Caesar Rodney Elementary School can contribute to the Dover community's health by choosing to align with the SCORP regional priorities. Students and families can look forward to many opportunities of active recreation with the proposed ball parks. Additionally, the proposed sidewalks can allow its students access to active transportation.
- DPH feels the Caesar Rodney Elementary has the opportunity to increase positive health behaviors for its community by incorporating the following recommendations into its land development proposal:

- The proposed sidewalks do not specify whether they will be just internal, just at the frontage, or how far it extends; nor does the proposed plan indicate any crosswalks or bike paths, bike lanes, bike signage & parking.
  - There is opportunity for the neighboring community whose entrance begins at Fawn Path Drive to allow a safe-route-to-school program if crosswalks were provided, as well as sidewalks along the frontage and/or a bike/ped path adjacent to the ball/sports fields.
- Consider including safety-lighting for open spaces (ball-fields), as well as for sidewalks or paths giving the community the opportunity to incorporate physical activity into daily routines.
- Consider joint-use agreements as part of the school's wellness plan.
- Consider a Safe-Routes-to-School program as part of a Comprehensive School Physical Activity plan.

***The District appreciates the recommendations of the Department. These recommendations will be thoroughly reviewed and where feasible, implemented.***

Department of Education-Contact Despina Wilson 735-4040

- The DOE will continue to work with the district, architect, site engineer, municipal government and various state agencies regarding the project. The DOE reserves the right to provide continued and on-going comments and input as the project develops.

***The District appreciates the cooperation and communication with the Department in developing this project and looks forward to continued cooperation and communication as this project progresses.***

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.**

We thank the State and all Departments for their comments on this project. Please contact me at (302) 832-1652 if you have any questions or need additional information

Sincerely,  
Studio JAED



Philip R. Conte, AIA, NCARB  
Principal

CC: Constance C. Holland, AICP  
Director, Office of State Planning Coordination